



A Brief History of the Student Ombudsman: The Early Evolution of the Role in US Higher Education

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ABSTRACT

College and university ombuds were created throughout the United States in the late 1960's in response to campus tensions created by the Vietnam War and a growing university bureaucracy. The role of these offices was to guard against violations of student rights and to provide pathways for redress of student grievances and based upon the Danish model of ombudsing. The ombuds role evolved with changes on college campuses and in society broadly. Within a short time, these offices expanded their scope to serve faculty, staff, and other constituencies, eventually becoming a part of the organizational ombuds model. This paper examines early ombuds practice, specifically the shift away from a model that served only students to one that served the entire campus community.

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KEYWORDS

Ombuds, Ombudsman, Higher Education, History



The decade of the 1960's witnessed rapid change on college and university campuses throughout the United States. With an influx of students, the deepening US involvement in the Vietnam War, and the end of *in loco parentis*, student's demands that their rights be upheld became even more vociferous. In addition to this, universities were growing rapidly. The idea of the *multiversity* (Kerr, 2001) emerged during this time; universities were becoming increasingly complex institutions, with students easily lost in the bureaucracy. University administrators, in searching for attempts to quell the student unrest, looked to an idea that was gaining popularity around the world, the ombudsman (Stieber, 2000).¹

Early campus offices were established to resolve student issues, but the practice quickly evolved to encompass the entire campus community. Upon learning of the role, faculty and staff saw the benefits of ombuds services as well. As early as 1970, a campus ombuds as opposed to a student ombuds was widely accepted. Still today, there are many variations on how academic ombuds practice including the populations they primarily serve. This paper will seek to examine these early offices that served students, and the shift towards working with a broader campus population.

THE FIRST CAMPUS OMBUDS

The first ombuds office in North America was established at Simon Fraser University in 1965, and the first in the United States was at Eastern Montana University in 1966. This was quickly followed by offices at Stony Brook University, Michigan State University, and San Jose State College. The author of a 1968 College and University Business article noted that these early ombuds were not in communication with one another, and guessed that they may not even be aware of one another's existence (Buccieri, 1968). The ombuds idea spread rapidly, however, and by 1971 there were between 60 and 100 offices throughout the United States (Bottom, 1970).

A handful of offices were established in direct response to demands for civil rights on university campuses, the first being at San Jose State College, another at the University of Connecticut (Bottom, 1970). The original position posting from San Jose State College in 1967 stated, "the duty of the ombudsman shall be to search out and facilitate the removal of discrimination on the basis of race, creed, or national origin" (Bottom, 1970, p. 57). The first ombuds was in the position for two years. When the position was reposted in 1969, there was no reference to discrimination and the posting more closely resembled positions for ombuds positions at other institutions (Bottom, 1970).

The vast majority of these early offices, however, can be attributed to the tumult of the time. In 1968 California Governor Ronald Reagan urged the "isolation of hard-core rebels by remedying legitimate student grievances, thus denying the rebels of temporary allies. Student administration communication should be constantly reviewed" (Regan, quoted in Anderson, 1969, p. 61). Two major national commissions, a 1970 Presidential Commission on Campus Unrest (named the Scranton Commission) as well as a 1971 Carnegie Commission both suggested ombuds models for handling campus disputes in response to campus wide protests (Carnegie Commission, 1971; Presidential Commission, 1970).

The first office established with the mandate to serve the entire campus community was established at Cornell University in 1969 (Cook, 1969; Cook, 1998). This broader scope was

¹ Over time, the term ombudsman has been replaced by non-gendered terms such as ombud, ombuds, or ombudsperson. While there is currently no consensus on the appropriate term, I will use the term ombudsman in the historical sense and in quoted material, while referring to the role in general and in the present as ombuds. A thoughtful exploration of this topic was conducted by Rasch (2018).



outlined in the report that called for the creation of the office, stating the office was to be available “to all members of the university community... wishing to present any grievance that may arise against the university of anyone in the university exercising authority” (Cook, 1998, p. 200). Of the 136 cases, and 52 inquiries for information handled by the office in its first year, approximately half were from students (Cook, 1969).

THE CLASSICAL ROOTS OF THE CAMPUS OMBUDS

The creation of the Danish *Folketingets Ombudsmand*, or parliamentary commissioner in 1955 spurred a worldwide movement towards the creation of civil ombuds. Although the Swedish ombuds had been in place since 1809, two things made the Danish model so appealing. The Danish ombuds was unique in that the role did not deal with judicial administration. The ombuds could not overturn judicial decisions and relied more on soft power, relationships, and persuasion than in the Swedish model. The second was the officeholder himself. Professor Stephan Hurwitz, the first Danish Parliamentary Commissioner wrote and spoke widely on the subject, acting as sort of a worldwide evangelist and model for the ombuds role (Gellhorn, 1966).

This movement sparked the establishment of ombuds in New Zealand in 1962, Nassau County in New York in 1966, and the State of Hawaii in 1967 (Stieber, 2000). The phenomenon of *ombudsmania* carried on into the 1970’s, and it was in this context that the first college and university ombuds offices were founded (Ascher, 1967, 174). Early ombuds defined themselves in contrast to the role of a parliamentary ombuds. Roland (1970) stated,

the modern-day ombudsman has been defined as an independent, high level officer in civil government who receives complaints from citizens, inquiries into the matters involved and makes recommendations for suitable action. His remedial weapons are persuasion, criticism and publicity. He cannot arbitrarily reverse administrative action. This description also fits the campus ombudsman except that he is an independent faculty member who receives complaints from students at a college or university (2).

Early ombuds also looked to parliamentary models for guidance when establishing new offices. James Rust, the first ombudsman at Michigan State University found Walter Gellhorn’s *Ombudsmen and Others* to be a valuable resource. The book, published in 1966 surveyed various parliamentary ombuds models across the world. As additional universities established ombuds offices, they looked to other campuses for guidance and best practice (Rust, 1969).

RESEARCH AND THE DEVELOPMENT OF BEST PRACTICE

The rapid increase in the number of university ombuds offices was accompanied by a flurry of research into the new subject of academic ombudsmanry. Four doctoral dissertations written between 1969 and 1972 lay much of the groundwork for research conducted over the course of the next decade. The first in depth research project on university ombuds was a dissertation study examining the role at Michigan State University in 1969. The author of the study, Howard Ray Roland, outlined that his study was exploratory in nature and attempted to analyze the structure and operation of various offices in an attempt to define the role and propose a model for the campus ombuds. Rowland interviewed six campus ombuds and surveyed students who had utilized ombuds services at Michigan State University (Rowland, 1969).

Rowland attempted to outline a model for the campus ombuds. The Rowland model was rigid, however, based upon the few offices that he could study. Many of these early offices were similar in structure, based on the Danish model and built upon information provided by other ombuds. Rowland ultimately outlined 18 features that he believed should be incorporated into a university



ombuds role. These features included the ideas that the role should be limited to two years, the ombuds should only work with student complaints, and that the incumbent must be a tenured faculty member (Rowland, 1969).

Norman Bottom interviewed ten campus ombuds as a part of his 1970 dissertation study. Seven of those ten shared that they would assist students, faculty, and staff. Some had also shared that they will assist individuals who do not have an affiliation with the university as long as they have a university related issue (p. 137). Bottom (1970) stated “an office that limits itself to one clientele risks losing the respect and trust of the other campus elements” (p. 126). The ability to work with multiple constituent groups also lies in the ombuds’ independence as an office. Bottom took issue with the Rowland model, stating that it “is not really a model for an ombudsman, but rather for a student grievance officer who has faculty status. The model is clumsy, overblown, and too restrictive” (p. 129). Bottom suggested that the Rowland model, which was widely disseminated at the time, “can only be harmful to future development of the office on American campuses” (p. 190). Another dissertation published in 1972 by Hewett agreed with Bottom, suggesting a model that was accessible to all members of the campus community (p. 195).

A broad-based historical study by Janzen (1971) surveyed 62 academic ombuds offices. Of those, 20 offices were student only offices. The remainder served a mix of students, faculty, and staff across campus (p. 219). The limited data available indicates a growing acceptance, if not practice, of the growth of ombudsmanry into the faculty and staff realms. Even as early as 1967, Munding wrote that “although the ombudsman is primarily conceived of as protector of students, his office should be available to members of the faculty” (498).

Thus, it was relatively early on in the field of academic ombudsing that scholars began to point out the value of serving the entire institution. Stamatakos and Isachsen (1970) wrote, “the institution serious in intent to protect the entire college community (staff as well as students) from administrative and bureaucratic dysfunction, would provide the ombudsman with an appointment indicative of the support of the entire institution and with provision for independence from that body” (p. 194). The ability to work with the entire community gives rise to the ombuds’ independence, and consequently the ombuds’ independence comes from their ability to work with the entire campus community. When an ombuds is selected through a process where all of these stakeholders have input into the process, the position will carry the necessary weight to impact decisions informally (Hamilton, 1969).

RELATIONSHIP WITH STUDENT AFFAIRS PROFESSIONALS

The rise of the campus ombuds coincided with a rapid change in the role of the dean of students. The concept of *in loco parentis* began to erode when students were guaranteed due process rights in campus disciplinary proceedings after the 1961 *Dixon v. Alabama* Supreme Court decision, and was effectively killed in 1971 after the passage of the 26th amendment to the US Constitution. Some scholars at the time predicted the decline of deans of students (Koster, 1973). The role of dean of students was rapidly evolving from that of the university’s chief disciplinarian to one focused on providing holistic support to students in and out of the classroom.

Overall, student personnel workers were skeptical of the ombuds’ role. Earle Clifford, the Dean of Students at Rutgers University said in an address to a 1968 conference devoted to the idea of ombuds in higher education that the creation of an ombuds office was like “putting a penny in a fuse box when a circuit has blown” (Clifford, 1970, p. 202). Calling the ombuds “educational gimmickry,” Clifford feared that the establishment of an ombuds office would send the signal that no real solutions could be found within the existing structure of an organization, and the creation of this office was tantamount to admitting defeat. Instead of ombuds, Clifford advocated for



universities to reexamine the conditions that made them necessary in the first place, including excessive bureaucracy and administrators who were unwilling to help students (Clifford, 1970).

The nature of the position led to some crosspollination, with ombuds coming from deans of students ranks, and vice versa. Individuals who served in both of these roles outlined substantial differences, including the fact that the dean of students was a part of the university's bureaucracy and led an increasingly large staff. The ombuds, by contrast, was generally removed from university bureaucracy, had broad scope and could assist students with academic and non-academic issues. The informality of the ombuds role also delineated it from the role of dean of students, which oversaw an increasingly formal disciplinary process (Eddy, 1970; Eddy & Klepper, 1972; Drew, 1973; Koster, 1973).

Ultimately, the shift in focus from an ombuds who serves only students to one who serves the broader campus may be what helped to delineate the ombuds from the student personnel worker. Had ombuds continued to serve only students, it is possible that the role would have simply been folded into the portfolio of the dean of students, or chief student affairs officer. The accessibility of an ombuds to students, faculty, and staff sets it apart from other roles on campus; and this accessibility has helped to contribute to the growth of the ombuds field.

MATURATION AND THE GROWTH OF THE ORGANIZATIONAL OMBUDS

The shooting of unarmed student protesters at Kent State in 1970, in combination with the reduction of US forces in Vietnam, saw pacified campuses in the early 1970's and a shift in the role of ombuds from negotiator between activist student groups and administrators to one who focused more on individual student, and increasingly faculty and staff concerns (Griffin, 1995). As the role continued to evolve into the 1980's, Stieber (1982) noted, "there are campus ombudsmen who handle complaints and grievances of faculty and other employees as well as students. It is more common, however, for the staff, some of whom may have been organized in unions, to have separate channels for redress" (p. 8).

The continued evolution of the university ombuds also coincided with the development of the corporate ombuds. By 1987 it was estimated that there were over 200 corporate ombuds in North America (Rowe, 1987). Corporate ombuds were described by Rowe (1987) as,

a neutral or impartial manager within a corporation, who may provide confidential and informal assistance to managers and employees in resolving work related concerns, who may serve as a counsellor, go-between, mediator, fact finder or upward feedback mechanism, and whose office is located outside ordinary line management structures (p. 127).

When compared with the Rowland definition provided earlier, this definition demonstrates the evolution within the field, and contrasts early ombuds with their corporate counterparts. Additionally, where university ombuds outside of the United States had numerous civil counterparts to which they would look for examples; private sector ombuds greatly outnumbered public sector ones in the United States. These differences led to a unique trajectory for the profession within US colleges and universities (Stieber, 2000).

As both the corporate and university ombuds models continued to evolve, the two would eventually converge to create what is today known as the organizational ombuds. In addition to the evolution observed within the role of the ombuds, there was evolution within the university as well, as it adopted increasingly managerial staffing practices (Stieber, 2000). This also led to increased linkages between ombuds and the field of alternative dispute resolution. As the



population served by ombuds expanded, so did the complexity of the power dynamics among them (Griffin, 1995; Kolb, 1987).

Ultimately, the convergence of the university ombuds and the corporate ombuds was solidified by the unification of the two professional organizations. The University and College Ombuds Association and The Ombudsman Association merged to create the International Ombudsman Association in 2005. College and university ombuds then became couched within the broader organizational ombuds field.

LOOKING FORWARD: BEST PRACTICE AND RECOMMENDATIONS

Little research has been conducted on the current status of academic ombudsing in the United States, however one could presume that the landscape is as varied as ever. One element of university ombuds offices that has remained consistent is that each office will be different. These differences can be ascribed to the environment of the campus, to the individual holding the position, as well as to who requested the office in the first place. Today, a forward-thinking chief student affairs officer may create a student focused ombuds position in response to requests from students, a provost may create a separate position in response to resolutions passed by the faculty senate, or university administration may create a single office for the entire campus. Each of these ombuds should operate in a similar way, but the work may be very different.

One of the challenges for the ombuds field is that it is reliant on those who may or may not understand what an ombuds does to establish, define, and hire for each position in an entirely new and unique context. That being said, the variation among roles and institutions should not be surprising. The International Ombudsman Association has documented best practice that state that an ombuds should report to the highest level of an organization (IOA, 2), however this structure is not always a possibility and these roles are often established in response to a specific need or request.

The origin of the role of the university ombuds is complex, serving as a bulwark against violations of student rights; and intermediary between students and university administration, it was a product of its time. Ombuds have adapted to changes in university and societal culture, and a part of this has been a change in the populations that they serve and the methods that they use. It is helpful to recognize the roots of the field, and the elements that continue to make college and university ombuds unique within the broader context of the organizational ombuds.



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